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C O N F I D E N T I A L SECTION 01 OF 02 BUCHAREST 000325

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STATE FOR EUR/NCE A. JENSEN AND L/LEI A. KELLER

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SUBJECT: AMBASSADOR MEETS NEW JUSTICE MINISTER PREDIOU --
ALL GOOD

Classified By: A/DCM Bryan Dalton; reasons 1.4 (b) and (d).

¶1. (C) Summary: The Ambassador met on April 22 with new Justice Minister Predoiu, to discuss bilateral cooperation on arrests and extraditions, concerns about maintaining strong IPR enforcement, and alarm over the final remaining bad amendment to the Romanian criminal and penal code that would essentially make search warrants meaningless and damage our international cooperation combating crime and terrorism. Predoiu supported the U.S. position on all of these issues and said he was dedicated to repairing the poor reputation of the Ministry. With upcoming elections likely to cut Predoiu's tenure short, we will enjoy it while it lasts. End Summary.

¶2. (C) New Justice Minister Catalin Marian Predoiu, accompanied by Senior Counselor Radu Ragea, laid out his priorities for the Ministry during the Ambassador's April 22 courtesy call. Predoiu said he was focused on increasing the Ministry's ability to fulfill its agenda, including by repairing its poor reputation, while also recognizing that his tenure would be abbreviated. (Note: National elections this November/December will likely result in a change among all the Ministerial portfolios. End note.) Predoiu noted that his attention was currently on preparing the benchmarks report on Romania's progress on judicial reform issues that must be presented to the EU in July. (Note: the report is essential to preventing the European Commission from recommending triggering the "safeguard clause" that would deny EU recognition of Romanian legal proceedings if progress on judicial reform is not demonstrated. End note.) Predoiu said that he has reestablished good relations with the other institutions, including Parliament, the Presidency, and the Supreme Council of Magistrates (CSM) (in the wake of the deterioration in the relations that occurred under his predecessor).

¶3. (C) Predoiu said that his focus was to keep the Ministry relevant in the debate on judicial reform, though with two major elections on the horizon (local in June and national in the fall), it was important not to get lost in the political climate and to avoid political fights, especially with Parliament. Predoiu pledged to help raise the Justice Ministry above the fray of partisan fights, and keep attention on promoting reform. Predoiu praised the U.S. as a "good partner" and was pleased that the signing of the extradition treaty creates an opportunity to advance bilateral cooperation. He said, "Coming from a corporate law background, I know and appreciate the full meaning of partner." Predoiu said -- and Ragea reinforced -- that he is committed to keep the Ministry's communication with the

Embassy "open and frequent".

¶4. (C) On the issue of Intellectual Property Rights (IPR), Predoiu agreed with the Ambassador that strong enforcement was a priority, and that Romania has an obligation to provide high quality protection in this area. He also agreed that the General Prosecutor (GP) should be applauded for her efforts in IPR protection and pledged that she would have his full support. In reaction to the Ambassador's concern that there was some discussion about moving the IPR enforcement coordination role away from the GP's Office, Predoiu said that, while he had heard the same, he would discuss this issue directly with the GP to make sure IPR enforcement is kept at the highest level, with no deterioration in enforcement.

¶5. (C) The Ambassador inquired about the status of the final remaining bad draft amendment to the Penal and Criminal Code, which would require authorities to give 24 hours' advance notice to a criminal suspect before a search warrant could be issued. Predoiu responded that this provision -- if it passes -- would have a negative impact on the EU benchmarks report as well as Romania's international cooperation to combat crime and terrorism. He said that the discussion is in the Chamber of Deputies Judiciary Committee, where he will attend the hearings. If the text that comes out of committee is not substantially changed, he promised to take the fight to the plenary debate, and to raise the issue with all of the political parties. Predoiu noted that not all of the members of parliament have examined the draft amendments or understand the implications. He underscored that he would continue to press forward to remove this last bad amendment. He suggested that the U.S. (along with the UK, which also has

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been very focused on this issue) could coordinate lobbying efforts on members of the Judicial Committee. "We cannot accept that language into law," he said. Predoiu said he was well aware of the need for a good system of justice to be in place in order to attract investment to Romania, and he would do what he can to not only improve the judicial environment but also to prepare the ground for the next Minister of Justice. He believes that his role, or any minister's role, is to leave the institution in better shape than when he found it.

¶6. (C) Comment: Minister Predoiu is young, smart, and energetic, and appears to be a person of strong moral fiber and a friend of the United States. It is a shame that his tenure will only last until the next election. In some respects, the political shenanigans in 2007 did us a real favor; as the Liberal Party ran out of politicians available for Cabinet positions because of political infighting, they have been forced to draw from outside the inner circles, bringing in professionals to our and Romania's benefit. End Comment.
TAUBMAN